

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-090008

01/13/2012

HONORABLE BENJAMIN R. NORRIS

CLERK OF THE COURT

T. Haaser

Deputy

IN RE THE MATTER OF
KEENAN CRUTCHFIELD WALTON

KEENAN CRUTCHFIELD WALTON
1600 W LA JOLLA DR APT 2034
TEMPE AZ 85282

AND

SHANELLE CHERI

SHANELLE CHERI
7848 SCOTLAND DR
POTOMAC MD 20854

MINUTE ENTRY

Courtroom 404 – SEA

11:10 a.m. This is the time set for Temporary Orders Evidentiary Hearing regarding Father's *Motion for Pre-Decree Temporary Orders Without Notice for Child Custody* filed on January 3, 2012. Petitioner/Father Keenan Walton is present on his own behalf. Respondent/Mother Shanelle Cheri is present telephonically on her own behalf.

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

The Court previously ordered that the minor child was not to be removed from the State of Arizona or to be placed on an airplane without further court order.

Discussion is held between the Court and Mother regarding service of process.

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Keenan Walton and Shanelle Cheri are sworn.

Shanelle Cheri, having previously been sworn, now testifies.

Keenan Walton, having previously been sworn, now testifies.

Discussion is held regarding jurisdictional matters and whether Father's name is in the birth certificate.

Based upon the matters presented herein,

THE COURT FINDS that the State of Arizona has jurisdiction over this matter.

THE COURT FURTHER FINDS that Keenan Crutchfield Walton is the Father of the minor child, Keenan Alexander Crutchfield-Walton Jr., (D.O.B. 11/30/2011), by statements made by Mother under oath.

IT IS ORDERED on a temporary basis that Father shall have sole custody and that Mother shall return the child in a reasonable amount of time back to Arizona.

IT IS FURTHER ORDERED that Mother shall have liberal parenting time with the minor child.

IT IS FURTHER ORDERED that in the event that the child is not returned to Arizona, the Court will hold Mother in contempt. Sanctions including incarceration may apply for failure to comply.

IT IS FURTHER ORDERED setting Trial to the Court on March 27, 2012 at 9:00 a.m. (Time allotted: 2 hours) before the Honorable Benjamin Norris, Southeast Judicial District, 222 East Javelina Avenue, Courtroom 404, Mesa, Arizona, 85210.

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed one-half of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to trial setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

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IT IS ORDERED any evidence intended to be submitted as exhibits at the time of the Trial must be brought to this Court's Clerk in Courtroom 404 **no later than 12:00 p.m. on March 20, 2012 with a coversheet listing the description of the exhibits.** All exhibits must be hand-delivered to Courtroom 404 and must have colored paper separating the exhibits. Any exhibits submitted shall be copied to the opposing party at that same time. The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party. In addition, at the time of the commencement of the hearing, **each party shall provide an extra copy of the exhibits for use by the Court during the hearing. This extra set of exhibits shall be noted to be the "Bench Copy".**

IT IS FURTHER ORDERED that the failure of either party to appear at the time of trial, or to timely present the Joint Pre-Trial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

NOTICE

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

IT IS ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49 and 50, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits on or before **March 13, 2012.**
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed no later than **March 13, 2012.**

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3. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

IT IS FURTHER ORDERED that Counsel for both parties shall confer at least thirty (30) days prior to trial to conduct settlement discussions, prepare a Joint Pre-Trial Statement in accordance with Rule 76(C)(1), Arizona Rules of Family Law Procedure, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case. Thereafter, the Joint Pre-Trial Statement shall be filed and a copy delivered to this Division by no later than **March 20, 2012**. Further, pursuant to Rule 76(C) (2), each party shall file with the Joint Pre-Trial Statement the following:

- a) An Affidavit of Financial Information on a form approved by the Court.
- b) If financial/property issues are in dispute, a detailed itemized inventory of property and debt in accordance with Rule 97, form 12, "Inventory of Property and Debt".
- c) A proposed parenting plan.
- d) A proposed parent's worksheet for child support.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-Trial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure.

Continuances, postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

IT IS FURTHER ORDERED signing this minute entry as a formal Order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

Honorable Benjamin Norris
Judicial Officer of the Superior Court

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11:36 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/index.asp>

PLEASE NOTE: This Court utilizes a digital audio recording system to preserve the official record of proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.